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JUN 13 2005

OFFICE OF PETITIONS

In re Application of :
James R. McCarthy :
Application No. 09/995,159 : DECISION GRANTING PETITION
Filed: November 27, 2001 : UNDER 37 CFR 1.137(b)
Atty Docket No. PH-7345-A/BMS-0891 :

This is a decision on the petition under 37 CFR 1.137(b), filed September 15, 2004, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely pay the issue and publication fees on or before July 20, 2004, as required by the Notice of Allowance and Fee(s) Due, mailed April 20, 2004.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of the issue and publication fees; (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the issue and publication fees are accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

The matter is being referred to Publishing Division.



Frances Hicks
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy